



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, मंगलवार, 28 नवम्बर, 2006 / 7 अग्रहायण, 1928

हिमाचल प्रदेश सरकार

OFFICE OF THE EXECUTIVE OFFICER, MUNICIPAL COUNCIL NURPUR,
DISTRICT KANGRA

NOTIFICATION

Nurpur, the 28th June, 2006

No. 593 MCN.—The following Building Bye-Laws made by the Municipal Council Nurpur in exercise of the powers conferred by section 204 of the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) having been previously published and approved by the State Government as required under section 217(1) of the aforesaid Act. are hereby published for General information and shall come into

force within the limits of Municipal Council Nurpur from the date of publication of this notification in the Rajpatra, Himachal Pradesh (Extra-ordinary), namely:—

DRAFT BUILDING BYE-LAWS OF MUNICIPAL COUNCIL NURPUR

1. **Short title, extent and commencement.**—(1) These bye- laws may be called the Municipal Council, Nurpur. Building Bye- Laws, 2006.

(2) These bye-laws shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. **Definition.** —2.01 In these bye-laws, unless the context otherwise requires;

- (1) “Act” means the Himachal Pradesh Municipal Act, 1994 (13 of 1994);
- (2) “addition to the building” means addition to the cubic contents or to the floor area of building;
- (3) “alteration” means a change from one occupancy to another, or a structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the column, beam, joist, floor or other support or a change to or closing of any required means of ingress or egress or a change to the fixtures or equipment;
- (4) “applicant” means and includes a person who gives notice to the Municipal Council of his intention to erect or re-erect a building on a plot of land of which he/she is a owner and shall include his authorized representatives;
- (5) “assembly building” means and shall include any building or part of a building where group of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, for example theatres, motion picture houses, assembly halls, auditoria, exhibition halls, museums, skating rinks, gymnasium, restaurants, places of worship, dance halls, club rooms, passenger stations and terminals of air surface and other public transportation services, recreation piers and stadia;
- (6) “balcony” means a horizontal cantilevered or projection including a handrail, balustrade to serve as passage or sitting out place;
- (7) “basement storey” means the storey which is next below the ground storey or which is in any part for more than half of its height below the main level of the street or ground adjoining the principal entrance to the building;
- (8) “building height” means the vertical distance measured from the plinth level to ridge level of the roof, Architectural feature serving no other function except that of decoration shall be excluded for the purpose of taking height;
- (9) “building line” means the line upto which the plinth of a building adjoining a street or extension of a street or on a future street may lawfully extend and include the lines prescribed if any in any scheme;

- (10) "business building" means and shall include any building or part of a building which is used for transaction of business, for the keeping of accounts and records for similar purpose, doctors service facilities, barber shops, beauty parlour, city halls, town halls, court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records;
- (11) "Ceiling hight" means vertical distance between the floor and ceiling;
- (12) "chhajja/weather shed" means a continuous sloping or horizontal over hang over the open space not exceeding 45 cm in width;
- (13) "chimney" means the construction by means of which a flue is formed for the purpose of carrying the products of combustion from a heat producing appliance to the open air, Chimney includes chimney stack and the flue pipe;
- (14) "courtyard" means space permanently open to sky enclosed fully or partially by building and may be at ground level or any other level within or adjacent to a building;
- (15) "covered area" means the ground area covered immediately above the plinth level covered by the building but does not include the space covered by;
 - (a) garden, rockery, plant, nursery, waterpool, swimming pool (if uncovered), platform round a tree tank, fountain, bench and the like;
 - (b) drainage culvert, conduit, catch-pit, gully pit, chamber, gutter and the like;
 - (c) courtyard, compound wall, gate, slide swing canopy, porch areas covered by chhajja, watchman hut or alike projections and steps of natural profile which are uncovered and open to sky; and
 - (d) approach bridge (covered/uncovered) from public street, path and road to the building at any floor level.
- (16) "damp proof course" means a course consisting of some appropriate water proofing material provided to prevent penetration or compress or moisture from any part of the structure to any other part at a height of not less than 15cm above the surface of the adjoining ground;
- (17) "drainage" means the removal of any liquid by a system constructed for the purpose;
- (18) "dry area" means the space between the hill slope and building which is properly protected by breast wall/retaining wall and is open to sky to facilitate free circulation of air and light and prevent the building from dampness;
- (19) "educational building" means and shall include any building used for school, college or daycare purpose involving assembly for instruction, education or recreation and shall also include cretches;
- (20) "existing building or its use" means a building structure or its use as sanctioned, approved/regularized by the Municipal Council existing before the commencement of these bye-laws,

- (21) "external wall" means an outer wall of a building not being a partition wall even though: adjoining to wall of another building and also means a wall abutting on an interior open space of any building;
- (22) "fire resisting material" means material which has certain degree of fire resistance;
- (23) "floor" means the lower surface in a storey on which one normally walk in a building;

Note.— The sequential numbering of floor from the major street shall be determined by its relation to the determining entrance level. From the major street for floors at or wholly above ground level the lowest floor in the building with direct entrance from the road/street shall be termed as ground floor. The other floor above ground floor shall be numbered in sequence as floor-1, floor-2, etc. with number increasing upwards;

- (24) "floor area ratio (FAR)" means the quotient obtained by dividing the total covered area on all floors by the area of the plot, i.e.:

$$\text{FAR} = \frac{\text{TOTAL COVERED AREA OF ALL FLOORS}}{\text{PLOT AREA}}$$

Note.— For the purpose of this part covered area equals the plot area minus the area due or open spaces in the plot.

- (25) "flue" means a confined space provided for the conveyance to the outer air of any product of combustion resulting from the operation of any heat producing appliance or equipment employing solid, liquid or gaseous fuel;
- (26) "footing" means a foundation unit, constructed in brick work, masonry or concrete under base of a wall or column for the purpose of distributing the load over large areas;
- (27) "Form" means form as appended to these bye-laws;
- (28) "foundation" means that part of the structure which is in direct contact with and transmitting load to the ground;
- (29) "front" in relation to a building means generally the portion facing the major street from which it may or it may not have any access;
- (30) "private garage" means a building or out house designed or used for the storage of private owned motor driven or other vehicles;
- (31) "habitable room" means room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, kitchen if it is used for living room but not includes bathrooms, water closer compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently;
- (32) "hazardous building" means and shall include any building or part of a building which is used for the storage, handling manufacture or processing of high combustible or explosive materials or products which are likely to burn with extreme rapidity and/or noxious alkies.

acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition;

- (33) "industrial building" means and shall include any building or part of a building or structure, in which product or material of all kinds and properties are fabricated, assembled or processed, refineries, gas plants, mills, dairies, factories etc;
- (34) "institutional building" means and shall include any building or part thereof which is used for purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease of infirmity, care of infants, convalescents or aged persons and for penal or correctional detention in which the liberty of the inmates is restricted, hospitals, sanatoria custodial institutions and penal institutions like jails, prisons, mental hospitals, reformatories;
- (35) "registered licensed Architect/Engineers/Plumbers" means a qualified Architect, Engineer, Plumber, who has been enrolled/licensed by the Municipal Council or any other officer authorised under the provision of the Act;
- (36) "masonry" means an assemblage of masonry units properly bounded together with mortar;
- (37) "mumty or stair cover" means a structure with covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation;
- (38) "mezzanine floor" means an intermediate floor between two floors level above ground floor and at least one side of its should form an integral part of space/floor below and shall form a part of F.A.R.;
- (39) "Occupancy or use group" means the principal occupancy for which a building or a part of a building is used or intended to be used, for the purpose of classification of a building according to the occupancy. An occupancy shall be deemed to include subsidiary occupancies which are contingent upon it;
- (40) "open space" means an area, forming an integral part of the site, left open to the sky;
- (41) "parapet" means a low wall or railing built along the edge of a roof or a floor;
- (42) "parking space" means an area enclosed or unenclosed, covered or open sufficient in size to park vehicles, together with a drive way connecting the parking space with a street or alley and permitting ingress and egress of the vehicles;
- (43) "partition" means an interior non-load bearing wall, one storey or part of storey in height;
- (44) "Plinth" means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground;
- (45) "plinth area" means the build up covered area measured at the floor level of the basement or of any storey;

- (46) "plot means a piece of land enclosed by definite boundaries;
- (47) "porch" means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building;
- (48) "residential building" means and shall include any building in which sleeping accommodation is provided for normal residential purpose with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, dormitories, apartment houses, flats and hostels;
- (49) "room height" means the vertical distance measured from the finished floor surface to the finished ceiling;
- (50) "row housing" means a row of houses with only front rear and interior open space;
- (51) "site office" means a room(s) or shed constructed, temporarily on the plot or the site of construction that may be permitted by the Municipal Council for limited period during the construction of the building;
- (52) "site or plot" means a parcel/piece of land enclosed by definite boundaries;
- (53) "storage" means a space where goods of any kind or nature are stored;
- (54) "storage building/godown" means and shall include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise like ware houses, cold storage, freight depot, transit-shed, store houses, garrages, hangers, truck terminals, grain elevators, brans and stables;
- (55) "store room" means a room used as storage space;
- (56) "storey" means the portion of a building included between the surface of any floor and the surface or the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it;
- (57) "street" shall mean any road, foot way, square, court, alley, gully or passage, accessible whether permanently or temporarily, to the public and whether a thoroughfare or not, and shall include every vacant space notwithstanding that it may be private property and partly or wholly constructed by any gate, post, chain or other barrier, if houses, shops or other buildings abut thereon, and if it is used by any person as means of access to or from any public place or thoroughfare, whether such persons be occupiers of such building or not, but shall include any part of such space which the occupier of any such buildings has right at all hours to prevent all other persons from using as aforesaid and shall include also the drains or gutters therein, or on either side or the land, whether covered or not by any pavement, verandah or other erection, upto the boundary of any abutting property not accessible to the public;
- (58) "to abut" means to be positioned just a posed to a road, lane, open space, building etc;
- (59) "terrace" means the open space at roof level or at any floor level;

- (60) "water closet (WC)" means a privy with arrangement for flushing the Pan with water; and
- (61) "window" means an opening to the outside other than a door which provides all or of the required natural light or ventilation or both to an interior space and not used as a means of egress/ingress.

2.02. The words and expression not defined in these bye-laws shall have the same meaning or sense as in Himachal Pradesh Municipal Act, 1994 (Act No 13 of 1994).

3. Applicability of bye-laws.—3.1 Subject to the provisions of the Act these building Bye-Laws shall apply to the building regulation activity in Nurpur Municipal Council area under the jurisdiction of Municipal Council Nurpur as under:—

- (a) Where a building is erected, the bye laws shall apply to the design and construction of the building;
- (b) Where the whole or any part of the building is removed the bye-laws shall apply to all parts of the building whether removed or not;
- (c) Where the whole or any part of the building is demolished, the bye-laws shall apply to any remaining part and to the work involved in demolition;
- (d) Where a building is altered the bye-laws shall apply to the whole building whether existing; or new, except that the bye-laws shall apply only to a part if that part is completely self contained with respect to facilities and safety measures required by the bye-laws;
- (e) Where the occupancy of a building is changed. The bye-laws shall apply to all parts of the building affected by the change.

3.2 Existing Approved Building.—Nothing in these bye-laws shall require the removal, alteration or abandonment, nor prevent continuance of the use or occupancy of an existing approved building, unless in the opinion of the Municipal Council such building constitutes a hazard to the safety of the adjacent property or the occupants of the building itself.

4. Interpretation.—In these bye-laws, the use of present tense includes the future tense, the masculine gender includes the feminine and neuter, the singular number includes the plural and the plural includes the singular. The word "Person" includes a Municipal Council as an individual, writing includes printing and 'typing' and 'signature' includes thumb impression made by a person who cannot write if his name is written near to such thumb impression.

5. Building sanction required.—No person shall erect, re-erect or make alteration or demolish any building or cause the same to be done with out first obtaining a separate building sanction for each such building from the Municipal Council.

6. Pre-Code Building Sanction .—If any building for which sanction has been issued before the commencement of these bye-laws, if not wholly completed within a period of two years from the date

of such sanction the said sanction shall be deemed to have lapsed and fresh sanction shall be necessary to proceed further with the remaining work.

7. Procedure for obtaining Building Sanction :

7.1 Notice.—7.1.1 Every person who intends to erect or re-erect a building or execute any of the works specified in sections 203 and 204 of the Act, shall give a notice in writing to the Municipal council in form-I and such notices shall accompany with building plans in six copies. The plans may be ordinary print on Ferro paper; one of them shall be on tracing cloth. The following other documents shall also be attached along with notice:—

- (a) Sale-deed/lease deed, tatima, jamabandi and demarcation report etc. duly accompanied by an annexed site plan giving the physical description of the plot/property. In such cases where lease deed has not been executed no objection certificate from the lessor shall be submitted;
- (b) no objection certificate from the Town and Country Planning Department regarding land use as per Interim Development Plan/Development Programme/Zonal Plan, wherever required;
- (c) approval from the Chief Inspector of Factories in case of Industrial Building;
- (d) approval from Chief Controller of Explosive, Nagpur and Divisional fire officer, Himachal Pradesh in case of hazardous buildings;
- (e) structural design duly prepared and signed by registered qualified Structural Engineer in Form-2;
- (f) atleast two photographs of proposed site from different angles.

7.1.2. The applicant who intends to erect building shall fix the boundary pillars at the site before giving the notice for such erection.

7.2. Key plan and approval of site.—A key plan drawn to a scale of not less than 1:1000 shall be submitted along with notice, showing boundary location of the site with respect of neighbourhood landmarks.

7.3. Site Plan.—The site plan sent with the notice under bye-law 7.1.1 shall be drawn to a scale of not less than 1:200 and shall show:—

- (a) the boundaries of the site and of any contiguous land belonging to the owner thereof;
- (b) the position of the site in relation to neighbouring street;
- (c) the name of the street in which the building is proposed to be situated if any;
- (d) all existing buildings standing on, over or under the site;
- (e) The position of the building and of all other buildings (if any) which the applicant intends to erect upon this contiguous land referred to in (a) in relation to;

- (i) the boundaries of the site and in case where the site has been partitioned, boundaries of the portion, owned by the applicant(s) and also the portions owned by other;
- (ii) all adjacent streets, building (with number of storeys and height) and premises within a distance of 12m of the site and of the contiguous land (if any) referred to in (a); and
- (iii) if there is no street within a distance of 12m of the site, the nearest existing street;
- (f) the means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a);
- (g) space to be left about the building to secure a free circulation of air, admission of light and access for scavenging purposes;
- (h) the width of the street (if any) in front and of the street (if any) at the side or rear of the building;
- (i) the direction of north point relative to the plan of the building;
- (j) any existing physical features such as nallah, drains, tree monuments/landmarks etc;
- (k) the ground area of the whole property and the breakup of covered area on each floor with the calculation for percentage covered in terms of the total area of the plot as required under the bye-laws governing the coverage of the area;
- (l) parking plans indicating the parking spaces for all buildings except for individual residential buildings;
- (m) the proposed building shall be fixed with permanent features;
- (n) disposal of waste water/rain water;
- (o) drain to be connected with Municipal Council, nallah/drain; and
- (p) any other document/ informations may be considered essential by the applicant.

7.4 Building plan.—The plans of the building and elevation and sections accompanying the notice shall be drawn to scale of 1:100. The plan shall:—

- (a) include floor plan of all floors together with the covered area clearly indicating the size and spacing of all framing members and sizes of rooms and the position and width of staircases, ramps and other existing way, lift wells, lift machine room and lift pit details;
- (b) show the use or occupancy of all parts of the buildings;
- (c) show exact location of essential services, for example, water closet, sink, bath water storage tanks and the like;

- (d) include sectional drawings showing clearly the sizes of the footings, thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials, the section shall indicate the heights of building and rooms and also the height of the parapet and the drainage and the slope of the roof. At least one section should be taken through the staircase, kitchen and toilet, bath and water closet;
- (e) show front, side and rear elevations and all the elevations if the building is open from all the sides;
- (f) indicate details of service privy, if any;
- (g) give dimensions of the projected portions beyond the permissible building line;
- (h) include roof plan indicating the drainage and the slope of the roof;
- (i) give indications of the north point relative to the plan;
- (j) detail of parking space if provided;
- (k) give indication of all doors, windows and other openings including ventilators with sizes in proper schedule form;
- (l) such other particulars as may be required to explain the proposal clearly and as prescribed by the Municipal Council;
- (m) contour plan of the site;
- (n) level of each floor with respect to road/paths/street; and
- (o) total height of the building.

Note.—The drawings comprising of all the requirements from (a) to (o) should be prepared and signed by registered Engineer.

7.5 Service Plan.—Plans, elevations and sections of private water supply, sewerage disposal system and details of building services where required by the Municipal Council shall be made available on a scale not less than 1:100.

7.6 Specifications.—General specifications of the proposed construction giving type and grade of material of public use in Form-3 duly signed by the registered Engineer may be shown accompanying the notice. In addition to this the specifications be written on one side of the plan being submitted for sanction.

7.7 Dimensions.— All dimensions shall be indicated in metric units.

7.8 Colouring of plan:

Colouring Notations for plans.—The plan shall be coloured as specified in Table-I. Further prints of plans shall be on one side of paper only.

TABLE-I

Sl. No.	Reference	Colour
1.	Proposed Work	Red
2.	Existing Work	Green
3.	Boundary	Yellow
4.	Road/Path	Black
5.	Drain	Blue
6.	Sewerage	Brown
7.	Work Proposed to be demolished	Orange

7.9 Supervision.—Notice shall be further accompanied by a certificate of supervision in Form-4 and Form-5 duly signed by the registered Engineer as the case may be.

7.10 Signing of plans.— All the plans shall be duly signed by the owner and Engineer registered with Municipal Council Nurpur and shall indicate their names and addresses and registration numbers.

7.11 It shall be obligatory on the part of the owner to provide proper paths/streets giving access to the plots into which the land may be divided. The Path/streets will be so provided that it shall connect with a regular public or private street. Such paths/streets shall be properly demarcated and paved with such other features as may be necessary for the safety of the users.

7.12 The owner of the land while dealing with the land for selling, making plots or otherwise, as mentioned in bye-law 7.11 shall sent to the Municipal Council a written application with a layout plan showing the following particulars:—

- The plots into which the land is proposed to be divided for the erection of buildings thereon and the purpose or purposes for which such buildings are to be used;
- The reservation or allotment of any site for any street open space park, recreation ground, school market or any other public purpose;
- The intended level direction and width of street or streets;
- The regular line of street or streets; and
- The arrangement to be made for leveling, paving metalling, flagging, channeling, sewerage, draining, conserving and lighting street or streets.

8. Notice for alteration only.—When the notice is only for an alteration of the building only such plans and statement as may be necessary, shall accompany the notice.

8.1 No notice and building sanction is necessary for the following alterations, which do not otherwise violate any provisions regarding general building requirements, structural stability and fire safety requirements of these bye-laws:—

- (a) plastering and patch repairs;
- (b) replacement of roofing sheets;
- (c) re-flooring and repair of flooring;
- (d) opening and closing windows, ventilators and doors not opening towards other's property;
- (e) construction or reconstruction of sun-shade not more than 45 cm in width within one's own land and not overhanging over the person's land or property public street/drains;
- (f) construction and reconstruction of parapet not exceeding 1 meter in height and also construction or reconstruction of boundary walls as permissible under these bye-laws but not exceeding 1.5 meter;
- (g) white washing, painting etc. including erection of false ceiling in any floor at the permissible clear height of ceiling to less than the required minimum height;
- (h) erection or re-erection of internal partition shall be allowed provided the same are within the purview of these bye-laws; and
- (i) shifting/relocating water tanks or main gate within own compound.

9. **Grant of Sanction or Refusal.**—9.1 The Municipal Council may either sanction or refuse the plans and specifications or may sanction them with such modifications or directions as it may deem necessary and there upon shall communicate its decision to the person giving the notice. If within 60 days of the receipt of notice under 7.1 of bye-laws, the Municipal Council fails to intimate in writing to the person, who has given the notice of its refusal or sanction or any intimation, the notice with its plans and statements shall be deemed to have been sanctioned provided the fact is immediately brought to the notice of the Municipal Council within fifteen days of giving such written notice. Subject to the conditions mentioned in these bye-laws, nothing shall be construed to authorize any person to do anything in contravention or against the terms of lease of titles of the land or against any other regulations, bye-laws or ordinance operating on the site of the work.

9.2 Once the plan has been scrutinised and objections have been pointed out, the owner giving notice shall modify the plan to comply with the objections raised and resubmit it. The Municipal Council shall scrutinise the resubmitted plan and if there be further objections, the same shall be intimated to the applicant for compliance after which plans shall be sanctioned.

10. **Duration of Sanction.**—The sanction once accepted, shall remain valid for two years from the date of sanction. Thereafter, the building sanction shall be got revalidated.

11. **Revalidation of Plans.**—Revalidation of plans after the expiry of validity period shall be subject to the following conditions:—

- (a) where work is in progress and there are no deviations, the case may be considered for extension of time;

- (b) for cases where there are deviations, the cases may be considered on merits after imposing the composition fee as per general guidelines.

12. Revocation of Sanction.—The Municipal Council may revoke any building sanction issued under the provisions of these bye-laws, where ever there has been any false statement suppression or any misrepresentation of material facts in the application on which the building sanction was based or if there is a gross deviation during the progress of construction from the sanctioned plan.

13. Valid Notice.—Notice containing complete information as required in bye-laws. No 7.1.1 and 7.1.2 shall be considered as valid notice.

14. Qualifications of Registered Technical Personnel for preparation of schemes for Building Sanction and Supervision.—The qualification of the technical personnel and their competence to carry different jobs for building sanction and supervision for the purpose of registration by the Municipal Council or any other officer authorized by it and the registration shall be valid for one calendar year ending 31st December after which it shall be renewed annually, as follow:—

(a) **Engineer :**

Qualification.— The Engineer shall hold such qualification for the purpose of registration as are given in sub-section (3) of section 203 of the ACT.

Competence.—The registered Engineer is competent to carry out the work related to Building sanction as given below and shall be entitled to submit:—

- (i) All Plans and related information connected with building sanction;
 - (ii) Structural details and calculations for all buildings;
 - (iii) Certificate of supervision for all types of buildings;
 - (iv) Sanitary/water supply works for all types of buildings; and
 - (v) All layout plans.
- (b) **Plumber.**—Plumber shall be licensed by the Municipal Council through an examination of the candidate having the following minimum qualifications:

Qualifications:

- (i) knowledge of Hindi;
- (ii) working knowledge of drawings and sketches;
- (iii) certificate of training from I.T.I. for the trade with minimum two years experience of execution of sanitary and plumbing work under any Government Department/Local Bodies or licensed Architect Engineer;

OR

A sound practical knowledge or experience of sanitary and plumbing works under any Government Department/Local Bodies or licensed Architect for a period of five years.

Competence.—A Licensed plumber shall be competent to do the following jobs Independently:—

- (a) submission of sanitary plans upto 2 storey building;
- (b) Execution of sanitary works of 2 storey building; and
- (c) Execution of sanitary works of all kind of building under the supervision of licensed Engineer.

15. Procedure During Construction Work:—15.1 Neither the granting of the sanction nor the approval of the drawings and specifications nor inspection made by the Executive Officer or any other official of Municipal Council during erection of the building shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with the requirements of these bye-laws.

15.2 Notice for Commencement of Work.—Before the commencement of the building work at site for which building sanction has been granted, the owner, within a period of maximum one year from the date of sanction, shall give notice to the Executive Officer of the intention to start the work at the building site in the proforma given in Form-6. The owner shall commence the work within seven days from the date of such notice.

15.3 Document of site.—The person to whom a sanction is granted shall during construction make readily available for inspection a copy of the approved drawings and specifications.

16. Notice of Completion.—Every owner shall have to submit a notice of completion of the building to the Executive Officer regarding completion of the work described in the building sanction. The notice of completion shall be submitted by the owner as per proforma given, in Forms —7, 8 and 9 accompanied by one copy of completion plan in tracing cloth and four ferro prints with fee of Rs. 50/- and the following documents:—

- (a) Copy of sale deed, lease deed, latest tatima, jamabandi, etc. in case of change of ownership;
- (b) Two photographs showing front and side elevation of the completed structures; and
- (c) Tax clearance certificate from Municipal Council;

A committee consisting of Municipal Engineer, Junior Engineer and Sanitary Inspector headed by the Executive Officer shall inspect the site before according the sanction of the completion plan.

17. Deviation During Construction.—If during the construction of a building any substantial departure from the sanctioned plan is intended to be made by way of internal alterations or external additions, sanction from the Municipal Council shall be obtained. The revised plan showing the deviations shall be submitted and the procedure laid down for the original plan heretofore shall apply to all such amended plan.

18. Occupation of Building.—No person shall occupy or allow any other person to occupy any building or part of building for any purpose until such building or part has been granted the completion certificate.

19. Completion Certificate.—The Executive Officer on receipt of the notice of completion shall inspect the work and communicate the sanction or refusal or objections thereto, within 30 days from the date of receipt of notice of completion. If nothing is communicated within this period, it shall be deemed to have been approved by the Executive Officer for occupation.

20. Notice of completion of plinth Level Work.—The owner of the building who has completed the work upto plinth level and before the commencement of the super structure work shall give notice to Executive Officer in Form-10, failing which the construction/structure so raised shall be treated as unauthorized.

21. Unsafe Building.—All unsafe buildings shall be considered to constitute danger to public safety, hygiene and sanitation and shall be restored by repairs, demolished or dealt with under section 117 of the Act.

22. Distance from electric lines.—No Varandah, balcony, saiban or the like shall be allowed to be erected or re-erected or any additions or alteration made to a building within the distance quoted below in accordance with the provision of Indian Electricity Act and rules made thereunder and its amendments from time to time, between the building and any overhead electric supply lines:—

	Vertically Metre	Horizontally Metre
(a) Low and medium voltage lines and service lines.	2.40	1.22
(b) High voltage lines upto and including 33000V.	3.66	1.83
(c) Extra high Voltage lines beyond 33000V.	(Plus 0.3m for every additional. 33000V or part thereof).	(Plus 0.3m for additional. 33000V thereof).

23. Size of Plot and other requirements :

23.1 Residential use.—The construction of building for residential use shall not be permitted on any plot, which has an area of less than 90 sq.m.

23.2 Coverage.—Maximum permissible coverage of residential building in plots of different size shall be as under:—

(a)	On plots upto 90 sq.m.	65%
(b)	On plots of 91 to 250 Sqm	60%
(c)	On plots of 251 to 500 Sqm	55%
(d)	on plots above 500 sqm	50%

Set Backs.—23.3 In case of detached houses minimum set backs on main road/path shall be 3.00 meters in front and 2.00 meters another sides. In case of semi - detached houses the minimum set back in front shall be 3.00 meter, on side 1.50 meter and on rear 1.50 meter. Additional coverage of 1.00 meter

width shall be permissible on side set back of 3.00 meter on first floor. Further roof projection of 45 cm shall be permissible. Garage measuring 3.00 X 5.50m. shall be permissible on the rear.

23.4 Row house Set Back.—Minimum set back on main road/path in case of row houses shall be 3.00 meter on front and 2.00 meters on rear.

23.5 Minimum Building Width.—No construction shall be permitted on a piece of land left with buildable width less than 5 meters, after maintaining set backs with reference to the size of plot.

23.6 Set backs for arterial roads.— Front set back on arterial roads with right of way or 24 meters 18 months, shall be 7.5 meters and 5 meters respectively, set back on other roads shall be as given in clause 4 and 3 above of this by-law.

23.7 Set back in case of public utility services.— The set backs shall not be applicable to the service like petrol pump, electricity sub-station, road side infrastructures/ facilities such as rain shelter, land scaping auto services etc. which are specifically permitted on the acquired width of the road by the Government in case of the Government land or the local authority of the area in the case where land belongs to a local authority.

23.8 Height of Building.— Minimum and maximum floor height for residential building shall be 2.70 meters and 3.50 meters respectively. No mezzanine floor shall be permissible. Total height of building in no case shall exceed more than 9.50 meters excluding parking floor of 2.20 meters. No structure shall be allowed on valley side of any road with any part of it arising above the road level.

23.9 Projection.— Roof/slab projections and sun shades shall be allowed upto 45 cms. Over set back on all sides.

23.10 Storeys.—Maximum number of storeys shall be four & parking including basement, and attic. In addition, parking floor with maximum height of 2.20 meters shall have to be provided in case of plots abutting vehicular access. Columns below basement or ground floor shall not be exposed and shall be covered by retaining wall. Every building shall have sloping roof.

23.11 Reconstruction of existing building.—Regulation regarding reconstruction of house building shall be on the existing building lines, provided road with minimum width of 3.00 meters is made available. Roof projection/sun shades upto 23 cms shall be permitted over streets or paths as the case may be.

23.12 Hotel.—Permission for hotel shall be granted only on a vehicular road with minimum width of 5 mtrs. The minimum plot size for a hotel shall be 1000 square mtr. with maximum ground coverage of 45%. The minimum set back shall be 7.00 mtrs. in front and 4.00 mtrs on all other sides. Number of storeys shall be restricted to two with a total height of 9.50 meters excluding parking floor of 2.20 meters. The owner of the Hotel shall have to keep one floor exclusively for parking at road level@ one parking space measuring 20 sqm. for every two beds. Height of parking floor should not exceed 2.2 mtrs. This parking floor shall not be used for the purpose of habitable storage. 50% of the open space on ground shall be allowed for open parking and the rest should be landscaped.

23.13 Ecology not to be disturbed:—

- (i) Change of land use or the development of land shall be made in such a manner that natural profile of the land is least disturbed.

- (ii) In case cutting of plot is required the owner shall take measure to protect abutting properties by constructing retaining/breast walls. Cutting above 3.00 meters shall not be allowed.
- (iii) Change in the use of land or the development of land shall be made in the manner so as to achieve maximum air, light and sun where it is needed most.

23.14 Carving of plots.— (1) Orientation of the plots shall be provided in such a Manner so as to be in conformity with the integration of existing plots/infrastructure, wind direction, natural flow of surface drainage to allow un-obstructed rain water discharge.

(2) Layout of plots shall be governed by easy access having acceptable grades minimum 1:10 and which may not obstruct view or vista.

(3) For group of plots exceeding 10 in number on one particular access, minimum vehicular access shall be of 5 mtrs width. However 3 mtrs minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.

(4) **Plot Area:—**

- (i) Minimum plot area for detached house shall be 150 sq. mtrs.
- (ii) Plot area for semi-detached house shall be upto 250 Sq. mtrs.
- (iii) Plot area for row housing shall be upto 150 sq. mtrs:

Provided that in exceptional circumstances for the benefit of economically weaker sections and where the site conditions permit to do so, the Director Urban Development H.P. may consider 60 sqm minimum area of plot width.

(5) One common wall construction shall be allowed in plots upto 250 sqm. and two common walls construction in plots upto 150 sqm subject to the conditions that maximum number of such plots does not exceed 8 in row after which a gap of 7 meters shall be left.

23.15 Green-belt.— All area possessing substantial green cover belt not classified as "Forest" whether in Private ownership shall be henceforth called as green belt.

- (a) For the green belt, every effort shall be made to preserve and protect the character of green belt. No sub-division of land in this area shall be allowed for urban functions. Activities promoting afforestation, wild life, picnic and tourism, shall be permissible in the green belt. Under tourism only activities shall be allowed whereby tented, temporary, small and make shift accommodation are proposed. Hill cutting for construction of approach road would not be allowed. Felling of trees shall not be allowed for any of the activities mentioned above. Reconstruction of exiting structure shall be permissible on old lines provided further that maximum storeys shall be restricted to two storeys only including basement and attic. Provided further that no development/construction shall be allowed in the area falling within the purview of Forest Conservation Act, 1990.
- (b) Hence forth no construction shall be allowed within a radius of 5.00 meters from the green belt boundary and within radius A/D to check meters from an existing tree Distance shall be measured from the circumference of the tree.

23.16 Earth Quake resistant design.—The building plan/structural plan shall be earthquake resistant and the applicant shall submit a certificate to this effect signed by the Structural Engineer/Civil Engineer while submitting the building plan.

23.17 Collection of Rain Water from the Roof of Building.—For rain water harvesting, a tank in the proposed building shall be constructed by connecting it with the gutter at the top of the roof. The capacity of the rain water harvesting structure shall be proposed in the plan @ 20 litres per sq. meters of roof top area.

23.18 All mandatory Zonal Plan regulations regarding use, coverage, set backs, open space, height, number of storeys, parking standards etc. for various categories of buildings including modification thereon made from time to time shall be applicable *mutatis mutandis* in the building regulations under these bye-laws. All amendments/modifications made in those regulations will automatically be included as part of these bye-laws.

24. Means of Access .—24.1 No building shall be erected so as to deprive any other building of the means of access.

24.2 Every person who erects a building shall not at any time erect or cause or permit to erect or re-erect any building, which in any way encroaches upon or diminishes the area set apart as means of access.

25. Open Spaces, area and Height limitations.—25.1 Every room intended for human habitation shall abut to an interior and exterior open space or a verandah, open to such interior or exterior open space.

25.2 The open spaces to be left around the building including set backs, covered area, total build up area, limitations through F.A.R. shall as per Interim Development Plan of Nurpur, planning Area.

25.3 No New Building in the following categories in which there is a system or installation for supplying hot water shall be built unless the system or the installation is also having an auxiliary solar assisted water heating system:—

- (a) Hospital & Nursing Home.
- (b) Hotels, Lodges and Guest houses.
- (c) Hostel of Schools, colleges, Training Centres.
- (d) Barricks of armed forces, paramilitary forces and police.
- (e) Individual residential buildings having more than 150 sq. mt. Plinth area.
- (f) Functional Building of Railway Stations and Air Ports like waiting room, retiring rooms, rest rooms, inspection bungalows and catering units.
- (g) Community Centre, Banquest Halls, Barat Ghars, Kalyan Mandaps and buildings for similar use.

26. Requirement of parts of Building.—26.1 The plinth or any part of a building or out houses shall be located with respect to surrounding ground level so that adequate drainage of the site is assured but not at a height less than 45 cm. In case of slopping site the maximum height of the plinth level shall however not be more than 2.00 meters including the plinth from the lower most level of the original ground profile.

26.2 Habitable Rooms.—26.2.1 Habitable room shall have a minimum floor area of 9.5 sqm. and shall also have a minimum width of 2.4 meters. In the hostels attached to recognized educational institutional the minimum size of a habitable room should be 7.5 sq. mtrs.

26.2.2 Height.— The maximum height of each floor excluding thickness of slab shall be 2.75 mtrs including the beam. The maximum height of the floor shall not be more than 4 meters measured from the surface of the floor to the lowest point of the ceiling (Bottom of slab).

26.2.3 At least 1/6 area of the living room shall be rendered for sufficient air and light by providing windows or ventilators.

26.2.4 Every room except kitchen, bath, store, water closet, study room, puja room and dinning room is habitable room.

26.3 Kitchen :

- (a) The area of the kitchen shall not be less than 4.50 sqm. with a minimum width of 1.80 meters.
- (b) A kitchen, which is also intended to be used as a dinning room, shall have a floor area not less than 7.50 sqm. with minimum width of 2.10 meters.
- (c) The door of the kitchen shall be fly proof and the entire kitchen shall be well lit and well ventilated.
- (d) Unless, separately provided in a pantry, means for the washing of kitchen utensils shall be provided, which shall lead directly or through a sink to grated or trapped connection to the waste pipe.
- (e) A Kitchen shall have a sink with minimum dimension of 0.60 meter by 0.45 meters or a water proof washing tray of minimum 10 cm. depressed into floor.
- (f) An effective flue/exhaust fan with other sufficient arrangements to prevent any smoke flowing to the kitchen.
- (g) The floor of the kitchen shall be of impervious and fire resistance nature.
- (h) Height of the kitchen shall be equal to the height of habitant room.

26.4 Bath Rooms and water closets .—

26.4.1 Size.— The size of a bath room shall be not less 1.80 Sq.mtr. With a minimum width of 1.20 meters and minimum length of 1.50 meters . The minimum size of the water closet shall be 1.1 Sq. meters with a minimum width of 0.90 meters and minimum length of 1.20 meters. If it is a combined bathroom and water closet, the minimum area shall be 2.8 Sq. meters with a minimum width of 1.2 meters, and minimum length of 2.35 Sq. meters.

26.4.2 Other requirements.— Every bathroom or water closer shall:—

- (a) be so situated that at least one of its walls shall open to external air and shall have a minimum opening in the form of window or ventilation to the extent of 0.37 sqm. Or if external wall is not possible it shall abut to shaft with minimum dimension of 0.90 meters where exhaust fan shall be provided for ventilation.
- (b) not be directly over or under any room other than another latrine, washing place, bath or terrace unless it has a water tight floor.

- (c) be provided with an impervious floor covering sloping toward the drain with a suitable grade and not towards verandah or any other room.
- (d) have water tight seats with non absorbent material.
- (e) be enclosed by walls or partitions and the surface of every such wall partition shall be finished with a smooth impervious material to a height of not less than 1 meter above the floor of such a room.

26.4.3 No room containing water closet shall be used for any purpose except as lavatory and no such room shall open directly into any kitchen or cooking place by a door, window or other opening. Every room containing water closet shall have a door completely closing the entrance to it.

26.4.4 When the outer door of latrine/privies open the seat shall not be visible from the street or other public place.

27. Mezzanine Floor :

27.1 Size.— Mezzanine floor shall be permitted only between ground floor and first floor in only commercial buildings such as Banks, Restaurants etc. The Mezzanine area upto 25% of the actual covered area on the ground floor is permissible and shall be counted in the F.A.R.

27.2 Height.—The height of mezzanine floor shall not be less than 2.20 meter and not more than 2.75 meter.

27.3 Other Requirements.—A mezzanine floor may be permitted over a room or a compartment provided that:—

- (a) The mezzanine shall have direct light and ventilation to the extent of 10% of its floor area;
- (b) It is constructed so as not to interfere under any circumstances with the ventilation of the space over and under it and does not violate any other bye-law;
- (c) such mezzanine floor or any part of it shall not be used as kitchen;
- (d) in no case a mezzanine floor shall be closed so as to make it liable to be converted into un-ventilated compartments.

28. Basement.—Basement shall be considered as storey. A cavity wall with at least 6" cavity drain shall have to be provided against hill-side in basement floor.

29. Store Room :

29.1 Size.—The area of a store room shall not be less than 3 sqms. In case, the area of the store room is more than 3 sqms, the light and ventilation requirement to the extent of 10% of the floor area shall have to be provided.

29.2 Height.—The height of store room shall be equal to the height of habitation room.

30. Private Garage.—**30.1** Garage in the compound or on land adjoining to the building of a house can be permitted provided that the maximum height of the garage shall be 2.20 meters and provided that on the valley side the garage shall be constructed by constructing retaining wall filled with

boulder/earth upto road level provided further that the depth of original profile shall not exceed 2 meters from the road level. The garage shall however be permitted after having proper front set back and the applicant shall have to obtain the No Objection Certificate from the competent authorities.

30.2 The provision of one parking floor in the building shall be allowed with maximum height of 2.20 meter from the surface of the floor to the lowest point of the ceiling and also exempted from the F.A.R. provided that the parking floor level abuts on the road which is through for vehicle traffic.

30.3 The size of private garage in the open plot shall not be less than 2.50 mts X 5.00 mts. or the size of the vehicle. However, due to topographical constraints this provision can be relaxed, for small cars, by the Municipal Council.

31. Balcony.—The building or a unit of the building shall have a balcony on any of the side. The width of the balcony shall, not be more than 1.2 meter, and the balcony shall normally face the frontage.

32. Corridors.—The minimum width of corridor in a residential building shall be one meter and in all other building 1.20 meter.

33. Lifts.—**33.1** Where lift is available all the floor of the building shall be accessible for 24 hours by the lifts. The lifts provided in the building shall not be considered as a means of escape in case of emergency fire.

33.2 Grounding switch, at ground floor level, to enable the fire service to board on the lift in case of an emergency shall also be provided.

33.3 The lift machine room shall be separate and no other machinery shall be installed therein.

34. Roof.—**34.1** The roof of a building shall be so constructed or framed with such slope as to permit effective clearance of the drainage of the rain water by means or rain water pipes of adequate size.

34.2 The maximum angle of the roof from outer edge of the wall to the ridge shall ordinarily be 30 degree.

34.3 However often some pinnacles/spires or domes are constructed for adding beauty to the building or for ensuring aesthetic requirements. These may be permitted/ regularized over and above the 14 mts. maximum height of the building provided such spires/pinnacles or domes are so constructed that these are not-habitable.

35. Terrace/Glass House/Mumty.—The terrace at roof level shall be allowed equal to $1/3^{\text{rd}}$ area of the top floor. In this area the owner can also construct glass house/terrace garden subject to the condition that such glass house does not go higher than the ridge of the roof.

The owner may also be permitted to install solar system and in case such installation is above the roof and results in exceeding the maximum height of 14 mtrs of the building the same can be considered for sanction depending upon the merit of the each case. Mumty and stair case to the terrace at roof level shall be allowed. The clear height of mumty shall not exceed 2.20 mtrs from mid landing and waist slab of the staircase, leading to terrace, at any point of the building.

36. Stairs.—36.1 The width of the stair case leading to any floor of a residential building shall not be less than one meter and for building other than the residential building the following minimum width shall be provided:—

- (a) Hotels, flats, hostels, group housing and educational buildings like schools, colleges etc. 1.50 m.
- (b) Institutional buildings like Hospitals and assembly buildings like auditorium, cinema theatres ..2.00 m.

36.2 The minimum width of the treads without nosing shall be 25 cm. for an internal staircase for residential buildings. In case of other buildings the minimum tread shall be 30cm. The treads shall be constructed and maintained in a manner to prevent slipping. Winders shall be allowed in residential building provided that they are not at the head of downward flight.

36.3 The maximum height of rise shall be 19 cm in case of residential building and 15cm in the case of other buildings. They shall be limited to 15 per flight.

36.4 The minimum head room in the passage under the landing of stair case shall be 2.20 meters.

36.5 Interior staircase shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed for. For building more than 12m height, all stair case shall be enclosed.

37. Spiral Stair Case.—37.1 In commercial building consisting of three or more storeys, provisions of spiral stair case other than a regular stair case, as fire escape shall be provided.

37.2 The spiral fire escape shall not be less than 1.50 meter in dia- meter and shall be designed to give adequate head room.

38. Ramps.—For all public utility buildings ramps shall be provided to make barrier free movements.

38.1 Ramps with a slopes of not more than 1 in 10 may be substituted for stairways and shall comply with all the applicable requirements of required stairways as to enclosure, capacity and limiting dimensions, larger slopes shall be provided for special uses but in no case greater than 1 in 8. For all slopes exceeding 1 in 10 and where the use is such as to involve danger of slipping, the ramp shall be surfaced with approved non-slipping material.

38.2 The minimum width of the ramps in hospitals shall be 2.25m.

38.3 Handrails shall be provided on both sides of the ramp.

38.4 Ramps shall lead directly to outside open spaces at ground level or courtyard or safe place.

39. Re-erection of Building on old line.—The permission for re-erection on old line for dilapidated, burnt and unsafe building may be considered after receiving the notice from the owner of the property.

39.1 The notice shall accompany with old sanctioned plan or plan of the existing building duly certified by a licensed Architect/Graduate Engineer.

39.2 The notice shall accompany with all the documents as required for new proposed erection of buildings.

39.3 The sanction for re-erection shall be given for the existing covered area and number of floors and with the same height.

39.4 The sanction for re-erection shall be given at the same plinth level.

39.5 In heritage zone the sanction for the re-erection shall be given only after maintaining old existing façade of the building.

40. Basic Amenities.—The basic amenities such as water connection, sewerage connection and electric connection shall only be given on the following terms:—

- (a) One water connection on commercial basis shall be given for the construction purpose only after proposed plan is sanctioned subject to availability of water.
- (b) No Objection Certificate for one temporary electric connection shall be issued for construction purpose only after proposed plan is sanctioned and construction is carried out as per sanctioned plan.
- (c) Water connection on domestic basis shall be given only after the completion plan of the particular floor/portion/whole of building is sanctioned. For the remaining construction the owner will be provided the trade connection.
- (d) No Objection Certificate for permanent electric connection shall be issued only after completion plan of particular floor/whole of building is sanctioned.
- (e) Sewerage connection shall be given only after the completion plan of the particular portion/floor /whole of the building is sanctioned.
- (f) In the case of old existing building where the completion plan has not been sanctioned, the trade water connection shall be given to the occupier/owner till the completion plan is sanctioned.

41. General.—**41.1** In Bazar area and in all other areas which may be considered to be congested area by the Municipal Council every building abutting on the valley- side of a street shall be constructed so as to be within a building angle of not more than $37\frac{1}{2}$ degree. In case of building angle of not more than 45 degree shall be allowed.

Note.— The term building angle means the angle formed between the horizontal line at street level and line drawn from higher point of proposed building to the farthest edge of the street opposite to the proposed buildings.

41.2 No building shall be constructed on a vacant site/plot within any area restricted by the State Government without its prior approval.

41.3 The specification for the construction of building other than residential buildings shall be as per National Building Code.

41.4 The specifications for the installation of fire control system shall be as per National Building Code.

41.5 The walls of every building shall be constructed of non-inflammable material and in the case of partition walls between adjoining houses their thickness shall not be less than 23 cms.

41.6 Number of storeys and conversion of residential viz. painted, distempered, white washed, roof painted at least once in three years by the owner/tenant.

41.7 Every building is required to be renovated viz. painted, distempered, white washed, roof painted at least once in three year by the owner/tenant.

41.8 No building shall be constructed adjoining the road (National Highway) and (State Highway) without leaving set back as may be specified by the State Government from time to time and after obtaining No Objection Certificate from the State Govt./P.W.D., as the case may be.

41.9 Not more than one dwelling unit per floor shall be allowed in residential buildings constructed in plots having an area upto 250 sqms. For plots measuring over 250 sqms. one additional dwelling unit may be allowed and thereafter for every 100 sqm. additional area of the plot, additional dwelling unit be considered.

41.10 Where tree is involved no building application shall be considered where the distance between building and outer edge of tree is less than 2 mtr.

42. Site Development.—42.1 The development of land shall be made in such a manner that natural profile of the land is least disturbed and disposal of surplus earth shall be made only on those plots as are specified by Municipal Council from time to time.

42.2 Where, it is essential to develop a plot by cutting, it shall be the responsibility of the plot owner to provide, according to the Engineering specifications, retaining and breast walls so that such cutting of natural profile of the land may not harm the adjoining uphill side properties. However, cutting of natural profile shall not exceed more than one storey 3 metres in any case having a provision of diaphragm wall or step housing.

42.3 The development of land shall be made in such manner so as to achieve maximum air, light sum where it is needed most.

43. Carving of plots.—43.1 Orientation of the plots shall be provided in such a manner so as to be in conformity with the integration of existing plots/infrastructure, wind direction, natural flow of surface drainage to allow unobstructed rain water discharge.

43.2 Layout of plots shall be governed by ways/access having acceptable grades i.e. minimum 1.15 and which may not obstruct view or vista.

43.3 For group of plots exceeding 10 in number on one particular access minimum vehicular access shall be of 5 meter width. However 3 meters minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.

44. Construction of Temporary Structure.—The owner may construct with prior permission of the Municipal Council single storey temporary structure within the boundaries of the site, for builder's office, storage of building material, shelter for labour etc. during the construction of building thereon or adjoining thereto. This temporary structure shall remain for the period specified in the sanction.

44.1 Notwithstanding anything contained in any of the bye-laws the Municipal Council can make it mandatory that only bricks made of flyash or containing a fixed percentage of flyash shall be used for construction of buildings for which permission is provided under these bye-laws.

44.2 The Municipal Council while providing sanction under bye-law No-9 may ask the applicant to deposit an amount of security which shall be refunded after completion of building and after satisfaction of the Municipal Council that the building constructed is as per approved building plan.

45. Regularization of Un-authorized Construction/Deviation from the Sanctioned Plan/Violation of provision of IDP/DP/Zonal Plan/Municipal Council bye-laws.

45.1 Compoundable Item.—45.1.1 If there is deviation from the sanctioned plan/ the building is constructed before the approval of the Council but set-back are intact and the construction is within permissible entitlement of coverage as admissible on the date of filing of the plans, the composition fee shall be charged at the following rates:—

- (a) for commercial building the fees will be charged @ Rs 50/- per square meter;
- (b) for residential building the fee will be charged @ Rs. 25/- per square meter.

Note.—The Compounding fee will be charged extra from the fees charged as per the Govt. Notification for applying the building plan for sanction.

45.1.2 If there is deviation from the sanctioned plan and set backs are disturbed, the deviation may be considered for compounding as given below:—

- (a) Where the deviation in set backs at any floor/at plinth level is upto 10% of the sanctioned plan the same may be compounded by the Executive Officer @ Rs 50/- per square meter for commercial and Rs 25/- per square meter for residential building or as decided by the Executive Officer, subject to the condition that:—
 - (i) there should not be any hindrance/nuisance to the adjoining building/plot/path/roads/street/drain and neighbours etc.;
 - (ii) the erection of building should not be on any Government land belonging to or the land vested in a Municipality or local authority.
 - (iii) the construction should not be in contravention to the provisions of the Himachal Pradesh Roadside Land Control Act, 1969.
- (b) Any person aggrieved by the decision of the Municipal Council under bye-law 45.1.2 (a) of these bye-laws, may within thirty days from the passing of the order by the Municipal Council in the manner specified in "Appendix-A" appeal to the Deputy Commissioner.

- (c) Any person aggrieved by the decision of the Deputy Commissioner in appeal under clause (b), may, within thirty days from the order made by the Deputy Commissioner and in the same manner as specified in clause (b) above shall, appeal to the State Government.
- (d) The appellate authority may for reasons to be recorded in writing, allow the appeals to be filed after the expiry of the period of thirty day specified in clauses (b) and (c) and for calculating the aforesaid period of thirty days, the time spent in procuring the certified copies of the orders to be appealed against shall be excluded.

Note.—1. For the purpose of compounding balconies/projections, half the rate of *i.e.* Rs 25/- per square meter for commercial building and Rs 12.50 per square meter for residential building.

- 2. The maximum permissible percentage of deviation is inclusive of the area of balconies/projections.

46. Repeal and saving.—(1) The Nurpur Municipal Council Building Bye-Laws notified *vide* Notification No.-627-B&C-47/4488 dated 18th October, 1947 are hereby repealed.

(2) Notwithstanding such repeal under clause (1), any order, registration, license, certificate, notice, decision, sanction, approval authorisation, or consent made, issued or given under the bye-laws so repealed shall continue to be in force and have effect as if it were made, issued or given under corresponding provisions of these bye-laws, and every building plan sanctioned or approved prior to the commencement of these bye-laws and any application in relation hereto shall be disposed of in accordance with the provisions of these bye-laws, as if the said bye-laws were framed.

APPENDIX—"A"

(See bye-laws 45.1.2)

1. The appeal shall be preferred under sub-section 2A and 2B of section 211 of the Himachal Pradesh Municipal Act, 1994 in writing containing following documents:—

- (i) It shall specify the date of order appealed against. A copy of the said order shall be attached.
- (ii) It shall specify a clear statement of the facts and the grounds on which the appeal is preferred.
- (iii) It shall specify precisely the relief prayed for.
- (iv) It shall contain the following verification certificate duly signed by the Applicant(s):—

I _____ do hereby declare that the facts and contents stated above are true to the best of my knowledge and belief.

2. The appeal shall be accompanied by a fee of Rs. 5.00 through Treasury Challan.

MUNICIPAL COUNCIL NURPUR

FORM-I

(See bye-law 7.1.1)

FORM FOR FIRST APPLICATION TO ERECT/RE-ERECT / TO MAKE MATERIAL ALTERATION IN ANY PART IN A BUILDING

To

The Executive Officer,
Municipal Council Nurpur,
District Kangra, Himachal Pradesh.

Sir,

I hereby give notice that I intend to erect/demolish to make alteration in the building No. _____ or _____ on/plot no./Khasra No. _____ situated at _____ Nurpur in accordance with the building bye-laws of Municipal Council Nurpur. I forward herewith the following plans and specifications duly signed by me and _____ (Name in block letter), the Engineer who have prepared the plans, design etc. and shall supervise its erection. The copy of other following documents (as applicable) are attached herewith:—

1. Key plan/location plan
2. Site plan
3. Building plan alongwith structural design
4. Service Plan
5. Ownership title
6. Jamabandi, tatima
7. Demarcation certificates
8. General specifications
9. Attested copy of receipt for payment of application fee
10. Two photographs of site from different angles
11. Other documents, as required

I request that the construction may be approved and permission may be accorded to me to execute the work.

Signature of the owner _____
 Name of owner (in block letters) _____
 Address of owner _____

Dated _____

MUNICIPAL COUNCIL NURPUR

FORM-2

[See bye-law 7.1.1(e)]

CERTIFICATE

It is to certify that the structural design of proposed building of Shri _____
 s/o Shri _____ Khasra No. _____ Nurpur has been prepared
 by me. The various parameters taken for this structural design, are as follows:—

1. Soil bearing capacity
2. Structural design for number of floors
3. Seismic consideration
4. Factor of safety

Signature of Registered Engineer _____
 Name of Registered Engineer _____
 (in block letters)

Registration No. of Registered Engineer _____
 Address of Registered Engineer _____

Dated _____

MUNICIPAL COUNCIL, NURPUR

FORM-3

[See bye-laws 7.6]

FORM FOR SPECIFICATIONS OF PROPOSED BUILDING

(a) The purpose (Residence, Office, Godown, Restaurant):—

Hotel Dharamshala, School, Hostel, Cinema, Shop _____

Factory, stable for which it is intended to be used _____

12/11/06

(b) Details of coverage on respective floors are given below:—

	<i>Existing Proposal Total</i>
1. Basement Floor	
2. Ground Floor	
3. Mezzanine Floor	
4. First Floor	
5. Second Floor	
6. Third Floor	

(c) Approximate number of inhabitants proposed to be accommodated

(d) The number of latrines, urinals, kitchens, baths to be provided

(e) The source of water to be used in the construction

(f) Distance from public sewer

(g) The material to be used in construction of Walls/Columns/Foundations/Roof Floors

Signature of Registered Engineer _____

Name of Registered Engineer _____

(in block letters)

Registration No. of Registered Engineer _____

Address of Registered Engineer _____

(in block letters) _____

Dated _____

MUNICIPAL COUNCIL NURPUR

FORM-4

[See bye-law 7.9]

To

The Executive Officer,
Municipal Council Nurpur,
District Kangra, Himchal Pradesh.

Sir,

I hereby certify that the erection/re-erection/demolition or material alteration in/of building _____ on/in plot No./Khasra No. _____ situated at _____ shall be carried out under my supervision and I certify that all the material (type and grade) and the workmanship of the work shall generally be in accordance with the general specifications submitted along with and then the work shall be carried out according to the sanctioned plans.

Signature of Registered Engineer _____

Name of Registered Engineer _____

(in block letters)

Registration No. of Registered Engineer _____

Address of Registered Engineer _____

(in block letters) _____

Dated _____

MUNICIPAL COUNCIL NURPUR

FORM-5

[See bye-law 7.9]

To

The Executive Officer,
Municipal Council Nurpur.
District Kangra, Himachal Pradesh.

Sir,

I hereby certify that the drainage/sanitary and water supply work shall be executed by me or under my strict supervision for the work of erection/re-erection/ demolition or material alteration of the proposals for which building permit application in respect of building_____ on/in plot No. Khasra/No._____ situated at _____ has been granted and certify that all the materials workmanship of the work shall be in accordance with the standard laid down by and under the provision of the building bye-laws and that the work shall be carried out in accordance with the sanctioned plan.

Signature of Registered Engineer _____

Name of Registered Engineer _____

(in block letters)

Registration No. of Registered Engineer _____

Address of Registered Engineer _____

(in block letters) _____

Dated _____

MUNICIPAL COUNCIL NURPUR

FORM-6

[See bye-law 15.2]

To

The Executive Officer,
Municipal Council Nurpur,
District Kangra, Himachal Pradesh.

Sir,

I hereby certify that the erection/demolition or material alteration in/of building No. _____ on/in Plot No./Khasra No. _____ situated at _____ will be commenced on _____ as per your permission granted vide your office communication No. _____ dated _____, in accordance with the plans sanctioned.

Signature of the owner _____

Name of owner (in block letters) _____

Address of owner _____

Dated _____

MUNICIPAL COUNCIL NURPUR

FORM-7

(See bye-law 16)

To

The Executive Officer,
Municipal Council Nurpur,
District Kangra, Himachal Pradesh.

Sir,

I/we hereby give notice that I/we have completed the erection of the building work in plot No./Khasra No. _____ situated at _____ in pursuance of sanction granted by the Municipal Council vide communication No. _____ dated _____.

Permission to occupy or use the building may be granted.

Yours faithfully,

Signature of the owner _____
Name of owner (in block letters) _____
Address of owner _____

Dated _____

MUNICIPAL COUNCIL NURPUR

FORM-8

(See Bye-Law 16)

FOR THE CERTIFICATE OF REGISTERED ENGINEER

To

The Executive Officer,
Municipal Council Nurpur,
District Kangra, Himachal Pradesh.

Sir,

I hereby certify that the erection/re-erection or material alteration in/of building No. _____ on/in plot No./ Khasra No. _____ situated at _____ has been supervised by me and has been completed on _____ according to the plans sanctioned vide your office communication No. _____ dated _____.

The work has been completed to my best satisfaction, the workmanship and all the materials type and grade have been used strictly in accordance with the general and detailed specifications. No provisions of the building bye-laws, requisition made, conditions prescribed or orders issued thereunder have been

transgressed in the course of the work. The building is structurally fit for use for which it has been erected/re-erected or altered/constructed and enlarged.

Signature of Registered Engineer _____

Name of Registered Engineer _____
(in block letters)

Registration No. of Registered Engineer _____

Address _____

Dated _____

MUNICIPAL COUNCIL NURPUR

FORM-9

(See bye-law 16)

FOR THE CERTIFICATE OF REGISTERED ENGINEER

(To be submitted alongwith notice of completion)

To

The Executive Officer,
Municipal Council Nurpur,
District Kangra, Himachal Pradesh.

Sir,

I/We undersigned hereby give you notice that the drainage work in the premises of Plot No./Khasra No. _____ located at _____ shall be completed in all respect and be ready for your final inspection on the _____ (date) at _____ (time) and request you for inspection and granting approval of the same.

The work was sanctioned by the Municipal Council Nurpur vide letter No. _____ dated _____

Signature of the owner _____

Name of the owner _____

Address _____

Certify that the sanitary/water supply work has been executed under my supervision as per building bye-laws/sanctioned plan.

Signature of Plumber/ Engineer _____

Name of Plumber/Engineer _____

Registration No. _____

Address _____

(Municipal Council, Nurpur) Building Section file No. _____ dated _____ certified that the above works have been inspected and approved.

Executive Officer,
Municipal Council Nurpur.

FORM-10

(See bye-law 20)

To

The Executive Officer,
Municipal Council Nurpur,
District Kangra, Himachal Pradesh

Sir,

I, the owner of plot No./Khasra No. _____ situated at _____ in
respect of which the building plan was sanctioned *vide* your officer order No. _____
dated _____ do hereby intimate that I have completed the work upto plinth level for your
information and record.

Signature of the applicant Owner
Name and Address _____

Date _____

Executive Officer,
Municipal Council Nurpur.

